

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION
FOR AN ADMINISTRATIVE INJUNCTION
INVOLVING

MARK HARRIS,

RESPONDENT.

FINAL DECISION AND ORDER

LS0004143RAL

The State of Wisconsin, Department of Regulation and Licensing, having considered the above-captioned matter and having reviewed the record and the Proposed Decision of the Administrative Law Judge, makes the following:

ORDER

NOW, THEREFORE, it is hereby ordered that the Proposed Decision annexed hereto, filed by the Administrative Law Judge, shall be and hereby is made and ordered the Final Decision of the State of Wisconsin, Department of Regulation and Licensing.

The Division of Enforcement and Administrative Law Judge are hereby directed to file their affidavits of costs with the Department General Counsel within 15 days of this decision. The Department General Counsel shall mail a copy thereof to respondent or his or her representative.

The rights of a party aggrieved by this Decision to petition the department for rehearing and the petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated this 5th day of June, 2000.

Marlene A. Cummings

Secretary

STATE OF WISCONSIN
BEFORE THE DEPARTMENT OF REGULATION AND LICENSING

IN THE MATTER OF A PETITION FOR :

AN ADMINISTRATIVE INJUNCTION :

INVOLVING

MARK HARRIS,
RESPONDENT

PROPOSED DECISION AND ORDER
Case No. LS0004143RAL

:
: :

PARTIES

The parties to this action under § 227.44 of the Wisconsin Statutes and chapter RL 3 of the Wisconsin Administrative Code, and for purposes of review under § 227.53, Wis. Stats., are:

*Division of Enforcement
Department of Regulation & Licensing
Division of Enforcement
1400 East Washington Avenue
Madison, WI 53708-8935*

*Mr. Mark Harris
c/o Revelations Hair Salon
5268 N. 76th Street
Milwaukee, WI 53218*

PROCEDURAL HISTORY

On April 14, 2000, the Division of Enforcement (DOE), by its attorney Steven M. Gloe, filed a petition for an administrative injunction. A hearing on the petition was scheduled for May 17, 2000. A copy of the petition and notice of hearing were sent to Mr. Harris by both U.S. mail and by certified mail on April 14, 2000.

Mr. Harris failed to file an answer to the petition. A Motion to Dismiss was filed by the DOE on May 16, 2000.

Based on the entire record of this case, this is the proposed decision and order of the undersigned administrative law judge.

FINDINGS OF FACT

1. Mark Harris became licensed as a barbering and cosmetology practitioner on May 11, 2000 (License No. 82-79315). Prior to that date, he did not hold a credential to practice barbering and cosmetology in the State of Wisconsin.

CONCLUSIONS OF LAW

1. The Wisconsin Department of Regulation and Licensing has jurisdiction in this matter pursuant to § 440.21, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that this matter be **DISMISSED**.

OPINION

When the Division of Enforcement filed its Petition for an Administrative Injunction on April 14, 2000, Mr. Harris was not licensed as a barbering and cosmetology practitioner in the State of Wisconsin. On May 11, 2000, Mr. Harris became a duly licensed barbering and cosmetology practitioner. Consequently, the Division of Enforcement moved for an order dismissing this action. Given that Mr. Harris now has an appropriate credential, an administrative injunction is no longer warranted and an Order of Dismissal is therefore advisable.

Dated at Madison, Wisconsin, this 16th day of May, 2000.

STATE OF WISCONSIN

DEPARTMENT OF REGULATION & LICENSING

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Madison, Wisconsin 53708

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Jacquelynn B. Rothstein

Administrative Law Judge